

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANTOLIN ANDREW MARKS,

Plaintiff,

v.

JOHN DOE ALBIN, et al,

Defendants.

Case No. C06-5675RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon the Report and Recommendation of Magistrate Judge J. Kelley Arnold [Dkt. #15] which recommended dismissal of plaintiff's complaint without prejudice for failure to follow the Court's order to file an amended complaint.

Plaintiff has now filed an amended complaint which sets forth with specificity his allegations of violations of his constitutional rights. Therefore, the Clerk is directed to file the Third Amended Complaint and to re-refer this matter to Magistrate Judge Arnold for further proceedings.

IT IS SO ORDERED.

The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing pro se.

Dated this 8th day of June, 2007.


RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE